Mysore State

Lestt. Old No. M-27, New No. M-11—75,000—21-1-56.

H.E.L.A. **(195 6) Department.**

Rt. **SERIES.**

G.O. No. 138,L.A.

138

Dated 16--2---1956

closed
Supdt

[Despatch Abstract.]

Land Acquisition - South Kanara District - Mangalore Taluk and Town - Casba Bazaar - T.S.No. 41-A-1-B and 75-1-B - For Widening Hirshwallya road junction - Notification under section 4(1) of Land Acquisition Act - Published

Ref.Kl.34940-55.

S.Kanara Collector's office,
Mangalore dated 31.1.56.

From

Sri M.G.Raja Ram,I.A.S.
Collector of South Kanara.

To

The Secretary to Government,
Health,Education and Local Administratio Department,
Fort St. George,Madras
(in duplicate)

Sir,

LAND ACQUISITION--South Kanara- Mangalore taluk and town- Casba bazaar- T.S.Nos.41A/1B and 75/1B- For widening Mireshwallya Road Junction- Draft notification under section 4(1) of L.A.Act- Submitted.

ASSISTANT SECRETARY TO GOVERNMENT
4-FEB1956
13099
HEALTH, EDUCATION & LOCAL ADMN. DEPT.

The Commissioner Mangalore Municipality has applied for the acquisition of portions of T.S.Nos.41A/1 and 75A/1 of Casba Bazaar for splaying sharp corner of Mireshwallya road within the Mangalore Municipality. He states that splaying of the corners is necessary to have a clear vision of the traffic turning at the junction.The Municipal council has sanctioned the proposal and agreed to abide by the conditions of acquisition. A copy of the resolution of the council is enclosed for information.

2. The land proposed to be notified for acquisition does not contain any graves or tombs or religious edifices. The estimated cost of acquisition is Rs.1654/-.Acquisition is for a public purpose namely for splaying the corner of the roads. I am submitting herewith draft notification under section 4(1) of L.A.Act in respect of the lands described above, which may be approved and got published in the Fort St.George Gazette.

Yours faithfully,

6.2.56

For Collector.

Extract from the proceedings of the Mangalore Municipal council dated the 26th June 1954.

E3/153/54. Specific sanction of the council is requested for the acquisition of land T.S.No.41/1A (Part) and 75/1(Part) for splaying corners at the junction of Nireshwallia road and Municipal office road as per inspection notes of Revenue Divisional Officer,Mangalore in his Ref.L.Dis.11382/53 dated the 9th January 54.The council is also requested to abide by the conditions of acquisition.

CONDITIONS

1. Agreeing to pay enhanced compensation together with incidental charge if any that might be awarded by the CivilCourt in the event of a reference under section 18 of the L.A.Act or an appeal therefrom.

2. Undertaking to use the land for the purpose of and for no other purposes without the sanction of the Government.

3. To use the land for that purpose within a period of two years from the date of handing over the land and

4.To restore the land to the Government if they do direct on payment of compensation awarded less.15 per cent awarded for compulsory acquisition or of the value of the land at the time of restoration whichever may be less in the event of the local body not carrying out the purpose for which the land is acquired within the specified period of using the land without the sanction of the Government at any time for any purpose other than for which it is acquired.

NOTE: The proposals have been sanctioned in C.R.No.2137 dated the 28th Novr.53.The Revenue Divisional Officer,Mangalore after local inspection of the sites suggested that some more land may be acquired from T.S.No.75/1 as the entire building is proposed to be acquired. The suggestions of the Revenue Divisional Officer,Mangalore may be accepted. Council resolution No.1177 dated the 26th June 54.

The necessary lands may be acquired for splaying the corners-Necessary funds are sanctioned. The council agrees to abide by the conditions of acquisition.

Sd/ K.S.N.Adiga
Chairman,M.C.

-True copy-

24.2.56
For Collector.

Ref.Kl.34940-55.

S.Kanara Collector's office,
Mangalore dated 31.1.56.

From

Sri M.G.Raja Ram,I.A.S.
Collector of South Kanara.

To

The Secretary to Government,
Health,Education and Local Administration
Department,
Fort St. George,Madras
(in duplicate)

Sir,

LAND ACQUISITION--South Kanara- Mangalore taluk and town- Casba bazaar- T.S.Nos.41A/1B and 75/1B- For widening Nireshwallya Road Junction- Draft notification under section 4(1) of L.A.Act- Submitted.

The Commissioner Mangalore Municipality has applied for the acquisition of portions of T.S.Nos.41A/1 and 75A/1 of Casba Bazaar for splaying sharp corner of Nireshwallya road within the Mangalore Municipality. He states that splaying of the corners is necessary to have a clear vision of the traffic turning at the junction.The Municipal council has sanctioned the proposal and agreed to abide by the conditions of acquisition. A copy of the resolution of the council is enclosed for information.

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Yours faithfully,

1.2.56
For Collector.

Form of notification to be issued under section 4 of the Land Acquisition Act I of 1894 as amended by Act XXXVIII of 1923.

Whereas it appears to the Government that the land specified in the schedule below and situated in the Casba Bazar village, Mangalore taluk, South Kanara district is needed for a public purpose, to wit, for splaying sharp corners at the junction of Nireshwalia road and Municipal office road notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923: and the Governor in council hereby authorises the Personal Assistant to the Collector of South Kanara his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under Section 3(c) of the same Act the Governor in council appoints the Personal Assistant to the Collector of South Kanara to perform the functions of a Collector under section 5-A of the Act.

SCHEDULE.

District: South Kanara

Taluk: Mangalore

Village: 91 Casba bazaar.

Description of land.	Names of owners or occupier.	Approximate extent to be taken up.
Ryotwari garden T.S.No. 41A/1(portion)	1. Subbanna Shastry	137 sq.ft.
Ryotwari Garden T.S.No.75A/1(portion)	1. Abbu Kalandan	171 sq.ft.

S.Kanara Collector's office)
Mangalore dated 31.1.56.)

21.2.56
For Collector.

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2. Undertaking to use the land for the purpose of and for no other purposes without the sanction of the Government.

3. To use the land for that purpose within a period of two years from the date of handing over the land and

4.To restore the land to the Government if they do direct on payment of compensation awarded less 15 per cent awarded for compulsory acquisition or of the value of the land at the time of restoration whichever may be less in the event of the local body not carrying out the purpose for which the land is acquired within the specified period of using the land without the sanction of the Government at any time for any purpose other than for which it is acquired.

NOTE: The proposals have been sanctioned in C.R.No.2127 dated the 28th Novr.53.The Revenue Divisional Officer,Mangalore after local inspection of the sites suggested that some more land may be acquired from T.S.No.75/1 as the entire building is proposed to be acquired. The suggestions of the Revenue Divisional Officer,Mangalore may be accepted. Council resolution No.1177 dated the 26th June 54.

The necessary lands may be acquired for splaying the corners- Necessary funds are sanctioned. The council agrees to abide by th conditions of acquisition.

Sd/ K.S.N.Adiga
Chairman,M.C.

-True copy-

.2.56
For Collector.

LC-M 13099/57

Rev. Sectt. 19—2006—11-11-49.

16.2.56

GOVERNMENT OF MADRAS.

Received _____ 195 *Registered* _____ 195

Abstract.

Land Acqn - S. Kanara Dt - Mangalore Th and Town - Car Bazaar - T.S. nos 41A/1B & 75/1B - For widening Nittishwattiya road and junction - Notfn under Sec. 4(1) of L.A. Act - Published.

LA Department. (4)

G.O. R. No. 138 LA, dated the 16.2.1956.

Read—the following papers:— From the Coll. of S. Kanara

No K.I. 34940-55 dt 31.1.56

(P.T.O.

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ORDER.

The draft notification under section $\frac{4\ (1)}{48\ (1)}$ of the Land Acquisition Act, submitted by the Collector of S. Kanara with his letter read above is approved and will be published in the *Fort St. George Gazette*.

(By order of ~~His Excellency~~ the Governor of Madras.)

1887. *Secretary to Government.*

To the ~~Superintendent, Government Press~~ (with a notification for publication).
" ~~Board of Revenue, Land Revenue and Settlement~~
" Collector of S. Kanara

CENTRAL ARCH BRANCH

Date

's Initials.

Forwarded.

(By order)

Superintendent.